

Notice of Allowability

Application No.

10/798,105

Examiner

Teresa M. Bonk

Applicant(s)

SCHMAUDER, FRANK

Art Unit

3725

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the application filed on 6/11/2004.
2. ☒ The allowed claim(s) is/are 1-20.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.


Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☐ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____


DERRIS H. BANKS
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3700

NOTICE OF ALLOWANCE

Allowable Subject Matter

1. It is in the opinion of the examiner that the art of record neither anticipates nor renders obvious "...being coupled and jointly driven for their movement in the transverse direction of the workpiece, as the thrust member on one side of the tool platen is moved in the transverse direction into its operating position, the associated thrust member on the other side of the tool platen can be moved the opposite way in the transverse direction of the workpiece... said slide rail is drivingly coupled to at least one idle slide rail of a bending tool on the opposite side of the tool platen for movement in the longitudinal direction of the workpiece" in combination with the rest of the claimed limitations set forth in the independent claim.

2. Further searching by the examiner yielded additional prior art as follows:

Bertolini (US Patent 2,488,896) discloses a dual pivoted bender for simultaneously bending two parallel lengths of metal tubing having bending tools (15) on opposite sides of the tool platen (tie plates 12), each bending tool having at least one bending swage (circular bending dies 34) and at least one thrust member (bending shoe 36 and eccentric adjusting member or cam 40), the thrust members on both sides move in the same direction as the bending is completed simultaneously.

Schwarze (US Patent 5,499,522) discloses a double-head pipe bending machine having bending tools (bending heads 11 and 12) having at least one bending swage (rotatable bending template 14) and at least one thrust member (clamping jaw 16), the pipe to be bent is set against the bending tools and are simultaneously pivoted to bend the pipe.

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3. However the above prior art fails to disclose a reasonable combination of "...being coupled and jointly driven for their movement in the transverse direction of the workpiece, as the thrust member on one side of the tool platen is moved in the transverse direction into its operating position, the associated thrust member on the other side of the tool platen can be moved the opposite way in the transverse direction of the workpiece... said slide rail is drivingly coupled to at least one idle slide rail of a bending tool on the opposite side of the tool platen for movement in the longitudinal direction of the workpiece." Therefore, it is concluded by the examiner that claims 1-20 of the present invention are allowable.

4. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure and are further shown the state of the art:

US Patent 6,434,993

US Patent 4,485,658

US Patent 4,843,859

US Patent 4,201,073

US Patent 6,854,311

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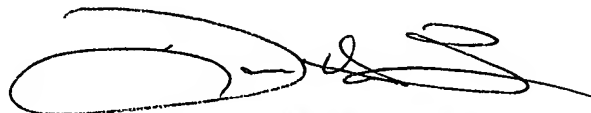
6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Teresa M. Bonk whose telephone number is (571) 272-1901.

The examiner can normally be reached on M-F 7:30AM - 5PM with alternating Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Derris Banks can be reached on (571) 272-4419. The fax phone number for the organization where this application or proceeding is assigned is 571-273-9900.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Teresa M. Bonk
Examiner
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A handwritten signature in black ink, appearing to read 'Derris H. Banks', with a large, stylized initial 'D'.

DERRIS H. BANKS
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3700